

NOTICE OF OBJECTION TO CONFIRMATION

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-8T2 has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk
U.S. Bankruptcy Court
402 E. State Street
Trenton, NJ 08608**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC	Albert Russo, Trustee
400 Fellowship Road, Suite 100	CN4853
Mt. Laurel, NJ 08054	Trenton, NJ 08650

2. Attend the hearing scheduled to be held on 08/15/2017 in the TRENTON Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court
402 E. State Street
Trenton, NJ 08608**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: July 21, 2017

/s/ James P. Shay
James P. Shay, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 41326
Fax: 856-813-5501
Email: james.shay@phelanhallinan.com

File No. 793711

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road

Mt. Laurel, NJ 08054

856-813-5500

FAX Number 856-813-5501

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-8T2

In Re:

THOMAS M. SABO
JOANN SABO
A/K/A JOANN GEADA

Debtors

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
TRENTON VICINAGE

Chapter 13

Case No. 17-19534 - MBK

Hearing Date: 08/15/2017

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-8T2, the holder of a Mortgage on debtors residence located at 1 GARRETSON DRIVE, FRANKLIN PARK, NJ 08823-1423 hereby objects to the Confirmation of the debtors proposed Chapter 13 Plan on the following grounds:

1. On June 29, 2017, Movant filed a Proof of Claim reflecting a total secured claim in the amount of \$710,598.22.
2. Debtor's Chapter 13 Plan proposes to surrender the property in full satisfaction of loan.
3. Movant objects to the inclusion of that language in the event Movant chooses to pursue a deficiency action under state law. Movant requests that language be stricken.

4. Debtor does not have the right to surrender in full satisfaction without the consent of the mortgage company. Since consent is not provided, confirmation of the Plan should be denied.

WHEREFORE, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-8T2 respectfully requests that the Confirmation of Debtors Plan be denied.

/s/ James P. Shay

James P. Shay, Esq.

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

Tel: 856-813-5500 Ext. 41326

Fax: 856-813-5501

Email: james.shay@phelanhallinan.com

Dated: July 21, 2017

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

793711
PHELAN HALLINAN DIAMOND & JONES, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
856-813-5500
Attorneys for U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE FOR BANC OF
AMERICA FUNDING CORPORATION
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2006-8T2

In Re:

THOMAS M. SABO
JOANN D. SABO
A/K/A JOANN GEADA

Case No: 17-19534 - MBK

Hearing Date: _____

Judge: MICHAEL B KAPLAN

Chapter: 13

CERTIFICATION OF SERVICE

1. I, Kimberly Wilson:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-8T2 in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On July 21, 2017 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: July 21, 2017

/s/ Kimberly Wilson
Kimberly Wilson

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
THOMAS M. SABO 1 GARRETSON DRIVE FRANKLIN PARK, NJ 08823-1423	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
JOANN D. SABO 1 GARRETSON DRIVE FRANKLIN PARK, NJ 08823-1423	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
YAKOV RUDIKH, Esquire 223 Rt. 18 South SUITE 108 E BRUNSWICK, NJ 08816	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Albert Russo, Trustee CN4853 Trenton, NJ 08650	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)

		<input type="checkbox"/> Other _____ (as authorized by the court *)
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* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.